

DETAILED ACTION

The following supplemental Final Office action is being sent to clarify that the newly claimed limitation was considered and found in the previously applied art.

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. These claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

The application as originally filed does not disclose the door as having an area where a lateral extent of the shutter crosses and overlaps with an extent of at least one of the two vertical slides.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not known as to that which might be considered an area where a lateral extent of the shutter crosses and overlaps with an extent of at least one of the two vertical slides. Examiner is assuming that 'an extent' of at least one side refers to at least some portion, extending in any direction, of any vertical side.

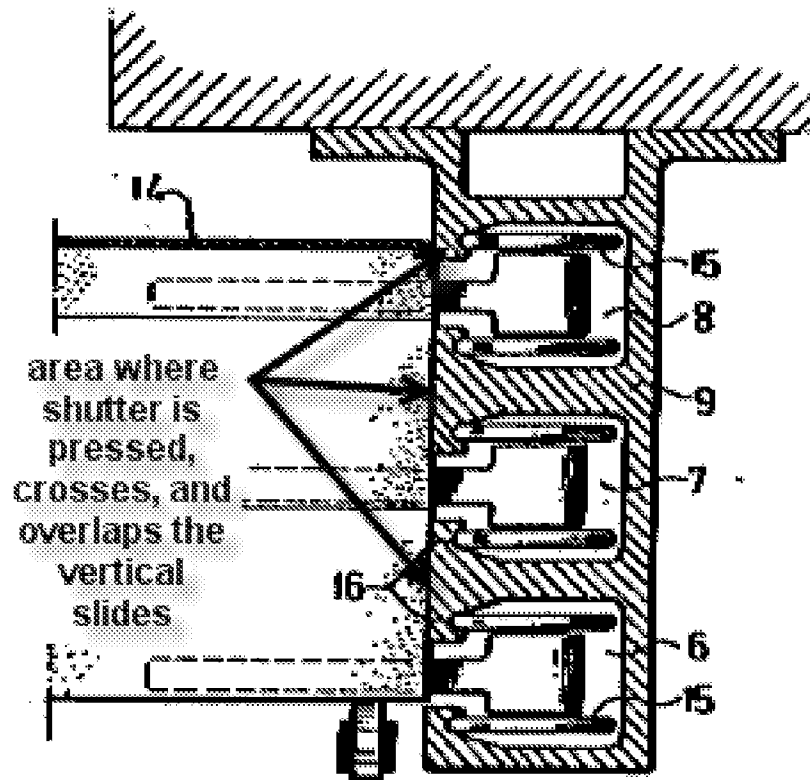
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3,6,8,9, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dubbelman et al (U.S. Patent No. 4,938,273). Dubbelman et al disclose a door comprising vertical slides 6-9, a flexible shutter 1,2,14, and a transverse stiffening bar 3,17 having guide devices 15 which are offset relative to the plane of the shutter. As best understood, and is shown in the figure below, the shutter is pressed against a surface of the slide at an area where a lateral extent of the shutter crosses and overlaps with an extent of at least one of the two vertical slides.

Fig. 3



4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4,5,7,10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dubbelman et al (U.S. Patent No. 4,938,273) in view of Krafutler (U.S. Patent No. 5,056,579). While Dubbelman et al do not disclose the guide device as having a breakaway or deformation zone, Krafutler disclose a door comprising a guide device 42,43 having a breakaway or deformation zone 422,433, wherein, to incorporate this teaching into the door of Dubbelman et al for its explicit function of avoiding door damage if impacted would have been obvious to one of ordinary skill in the art.

5. The applicant states that for an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. It is noted that the prior art is from the applicant's field of endeavor, wherein, the applicant is presumed to have full knowledge of the prior art in their respective field of endeavor.

Applicant's remarks have been fully considered but they are not persuasive inasmuch as all the claimed elements are known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

6. Applicant's amendment to claim 1 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to David M. Purol whose telephone number is (571) 272-6833.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Katherine Mitchell, can be reached at (571) 272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to KATHERINE W. MITCHELL at telephone number (571)272-7069.

/KATHERINE W MITCHELL/
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